

AMENDMENTS TO THE DRAWINGS

The attached "Replacement Sheets" of drawings include changes to Figures 19 and 20A. The attached "Replacement Sheets," which include Figures 19, 20A and 20B, replace the original sheets including Figures 19, 20A and 20B.

Figure 19 – Reference numeral 22 changed to 122.

Figure 20A – Reference numeral 124 changed to 124A.

Attachment: Replacement Sheets

REMARKS

Claims 1-12, 15-25 and 39 remain pending in the present application. Claims 13, 14 and 26-38 have been cancelled. Claims 1, 3-5, 7, 9, 10 and 20 have been amended. Claim 39 is new. Basis for the amendments and new claims can be found throughout the specification, claims and drawings originally filed.

REJECTION UNDER 35 U.S.C. § 112

Claims 1-3, 21 and 22 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The claims have been amended to overcome the rejection. Reconsideration of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 102 / § 103

Claims 1, 2, 3, 21 and 22 are rejected under 35 U.S.C. § 102(b) as being anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over Minami (U.S. Pat. No. 4,417,619). Claims 1, 2, 3, 21 and 22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the prior art as applied to Claims 1, 2, 3, 21 and 22 above, and further in view of Haussmann (U.S. Pat. No. 5,251,692). Applicants respectfully traverse this rejection.

Claim 1 has been amended to define a core portion (22A and 22B; Figure 1A) having a first core portion (flow A1) and a second core portion (flow A2) being disposed in a core width direction substantially perpendicular to the external fluid flow direction. The core portion includes tubes (20A, 20B) arranged in at least one row in the core

width direction. The tubs defining first passages in the first (T1L) and second (T1R) core sections and second passages in the first (T2L) and second (T2R) core sections. One of the passages being upstream of the other.

An introducing portion (18A) in communication with the first passages and the discharging portion (18B) in communication with the second passages.

A collecting portion including a first collecting space (16AL, Figure 2) and a second collecting space (16AR). A distributing portion including a first distribution space (16BL) and a second distribution space (16BR). A communication part (28) including a first communication portion (above wall portion 30a) between first communication space 16AL and second distribution space 16BR and a second communication space (below wall portion 30a) between second collecting space 16AR and first distribution space 16BL.

Minami discloses a system where the tubes criss-cross at the middle of the tubes and thus does not disclose a collecting portion and a distributing portion connected to the second end of the tubes with a communication part which crosses the fluid flow.

Haussmann is used to disclose multi-bore tubes and thus does not teach the collecting portion, the distributing portion and the communication part as is now defined in amended Claim 1.

In amended Claim 1, a core portion has a first core section and a second core section. The first core section and the second core section are disposed in a core width direction D1. A collecting portion (16A) and a distributing portion (16B) are disposed at an end of the core portion. One of the collecting portion (16A) and the distributing portion (16B) is disposed upstream of the other with respect to a flow direction of an

external fluid. The collecting portion (16A) includes a first collecting space (16AL) and a second collecting space (16AR). The first collecting space (16AL) is in communication with first passages of the first core section and the second collecting space (16AR) is in communication with first passages of the second core section. The distributing portion (16B) includes a first distributing space (16BL) and a second distributing space (16BR). The first distributing space (16BL) is in communication with second passages of the first core section and the second distributing space (16BR) is in communication with second passages of the second core section. The first collecting space (16AL) is communicated with the second distributing space (16BR) through a first communicating portion of a communication part, and the second collecting space (16AR) is communicated with the first distributing space (16BL) through a second communicating portion of the communication part. Accordingly, flows of the internal fluid are changed at the end of the core portion such that the internal fluid that has passed through the first passages of the first core section is introduced into the second passages of the second core section, and the internal fluid that has passed through the first passages of the second core section is introduced into the second passages of the first core section. As such, the flows of the internal fluid are exchanged with respect to the core width direction that is, exchanged between the first core section and the second core section and between the first and second passages.

Thus, Applicants believe Claim 1, as amended, patentably distinguishes over the art of record. Likewise, Claims 2, 3, 21 and 22, which ultimately depend from Claim 1, are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

NEW CLAIMS

New Claim 39 is believed to read on the elected species and it defines the relative positions of the communicating and distributing spaces.

REJOINDER

Applicants respectfully request rejoinder of withdrawn Claims 4-12, 15-20 and 23-25.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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